

**Medtronic**

# Facsimile Cover Sheet

P-8999.00

**To:** Examiner Jeffrey R. Jastrzab  
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**Date:** December 27, 2002

**Pages including this  
cover page:** 8

**FAX RECEIVED**

DEC 27 2002

**GROUP 3700**

**Comments:** RE: P-8999.00  
Serial No. 09/825,909  
Applicants: Thompson et al.  
Filed: April 4, 2001  
Title: Implantable Medical Device Controlled by a Non-Invasive  
Physiological Data Measurement Device  
Group Art Unit: 3762

Attached please find the following documents:

- X Amendment
- X Version with Markings to Show Changes Made
- X Transmittal

IF TELECOPY IS ILLEGIBLE OR ALL PAGES HAVE NOT BEEN RECEIVED, PLEASE CONTACT SUE MCCOY AT TELEPHONE (763) 514-8662 IMMEDIATELY.

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DOCKET NO.: P-8999.00

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**  
**AMENDMENT TRANSMITTAL**

In re Application of: Thompson et al.  
For: IMPLANTABLE MEDICAL DEVICE CONTROLLED BY A NON-INVASIVE PHYSIOLOGICAL DATA MEASUREMENT DEVICE  
Serial No.: 09/825,909  
Filed: April 4, 2001

CERTIFICATE UNDER 37 CFR §1.8 I hereby certify that this Amendment and Transmittal and the paper(s), as described herein are being sent to telefacsimile No. (703) 305-3590 at the U.S. Patent and Trademark Office, Assistant Commissioner for Patents, Washington, D.C. 20231 on this 27<sup>th</sup> day of December, 2002.

Signature

Sue McCoy

Printed Name

BOX NON-FEE AMENDMENT  
Commissioner for Patents  
Washington, D.C. 20231

Sir:

We are transmitting herewith the attached:

X AMENDMENT  
X Version with Markings to Show Changes Made

☐ Applicant hereby petitions for -months' extension of time. If an additional extension of time is required, please consider this petition therefor.

☐ Please charge Deposit Account No. 13-2546 in the amount of \$ .00 for fee.

X Please charge any additional fees or credits to Deposit Account No. 13-2546 which may have been overlooked on this Amendment Transmittal with regard to this filing. A duplicate of this transmittal is enclosed.

X Applicant believes that no extension of time is required. However, if an extension of time is required, please consider this a petition therefor to provide for the possibility that applicant has inadvertently overlooked the need for an extension of time.

Date

12/27/02

Dirma Wolde-Michael  
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Telephone: (763) 514-6402



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12/30  
PATENT**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): David L. Thompson      Docket: P-8999  
Serial No.: 09/825,909      Group Art: 3762  
Filed: April 4, 2001      Examiner: Frances P. Oropeza  
Title: IMPLANTABLE MEDICAL DEVICE CONTROLLED BY A NON-INVASIVE  
PHYSIOLOGICAL DATA MEASUREMENT DEVICE

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**AMENDMENT IN RESPONSE TO OFFICE ACTION****DATED OCTOBER 3, 2002**

Honorable Commissioner For Patents and Trademarks  
Washington, D.C. 20231

Sir:

Reconsideration of the above-identified application is respectfully requested.

**IN THE CLAIMS:**

Please amend claims 1-3 and 5-7 as follows:

- Sub B1  
a1
1. A system for controlling the operations of at least one implantable medical device ("IMD") via an external device in data communication with the IMD, the system comprising:
    - at least one IMD providing therapy delivery;
    - at least one physiological sensor implemented in an external device; and
    - means for transmitting control signals to the IMD from said external device;
    - said physiological sensor and transmitting means forming a dynamic closed loop self monitoring system.
  2. The system of claim 1 wherein said at least one IMD is selected from the group consisting of a pacemaker, a defibrillator, a drug pump, and a neuro stimulator.